

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**UNITED STATES OF AMERICA**

**VERSUS**

**CRIMINAL ACTION NO. 2:07CR127**

**BRANDON TROY BARRON**

**ORDER**

This cause is before the Court on a Motion for Continuance [16] by defendant Barron. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for March 17, 2008. Defense counsel represents in the motion that he has a conflict due to a previously existing setting before the Chancery Court of Bolivar County. Rule 16.3 of the Uniform Local Rules provides: "When the Court has set a case for trial . . . which conflicts with a court appearance of counsel in other courts, the first case having a firm setting shall control . . ." The Court is also advised that the government does not oppose the requested continuance.

These circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from March 17, 2008 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given defense counsel's conflicting prior setting in another court, a continuance is required under the Local Rules and in order to ensure the availability of defense counsel at the trial of this cause. Therefore, the Court finds that the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a

speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1. The defendant's Motion for Continuance [16] is GRANTED;
2. That the trial of this matter is continued until Monday, April 28, 2008 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi; multiple voir dire is to be held at the same time and place;
3. That the delay from March 17, 2008 until April 28, 2008 is excluded as set out above;
4. That the deadline for filing pretrial motions is April 7, 2008;
5. That the deadline for submitting a plea agreement is April 14, 2008.

SO ORDERED, this the 6<sup>th</sup> day of March, 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE